

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FIRESTONE ART LLC, d/b/a Eric Firestone,

Plaintiff,

- against -

TOKIO MARINE HIGHLAND INSURANCE
SERVICES, INC. d/b/a Tokio Marine
Highland, Fine Art Division; PHILADELPHIA
INDEMNITY INSURANCE COMPANY a
Tokio Marine Company, and DOES 1-10,

Defendants.

No. 1:24-cv-03772

**DECLARATION
OF HEATHER BECKER**

HEATHER BECKER declares under penalty of perjury:

1. I am the Chief Executive Officer of International Art Services, Inc. d/b/a The Conservation Center ("TCC").
2. With over 40 years of experience in art conservation, TCC is one of the largest and most-comprehensive private art conservation laboratories in the country.
3. TCC has treated and cared for fine art from some of the country's most prestigious private collections, museums, galleries, insurance companies, and corporations.
4. Clients from all over the United States transport artworks and other valuable and fragile items to and from TCC's approximately 35,000 square foot, climate-controlled, full-service facility. If, TCC, were to treat this collection, all items

will be treated by TCC staff at our facility; items will not be subcontracted to other conservators or vendors. (For more-detailed information about TCC's clients, facilities, services, etc., please *see* the attached **Exhibit 1**, my letter dated 2024-May-16 letter to Colin Quinn, Head of Fine Art Claims, and the person overseeing for the defendant "Insurer" the handling the insurance claims of plaintiff Firestone Art, LLC, the "Gallery."¹)

5. As I explained in my letter to the Insurer (**Exhibit 1**), many other laboratories only specialize in one or two mediums (*e.g.*, paintings or sculptures), and do not have the capability to conserve a large number of artworks all under one roof; collections are often split up and sent to different vendors at various locations. This approach puts collections at further risk and exposes the items to unnecessary transit and potential inventory gaps. Items should stay with one conservator, if at all possible,

¹ For additional information about TCC and our services, please see **Exhibit 2**, a bi-fold brochure from TCC with examples of our work before and after, as well as an overview of our facilities and services, and **Exhibit 3**, a document providing an overview of the services provided by TCC. For further information, please see our website:

https://www.theconservationcenter.com/?gad_source=1&gclid=EAIaIQobChMI0taRubKVhgMV5Ur_AR2ioA25EAAYASAAEgI0KPD_BwE, which includes testimonials from

clients (including New York clients) and view:

- <https://www.theconservationcenter.com>;
- <https://www.youtube.com/watch?v=8AHioAC3ypo>; and
- <https://www.youtube.com/watch?v=KMMDyK7GZ80>.

to allow for minimized transportation risks/damages, streamlined communication, and location checks.

6. Bringing the artworks that were damaged to TCC would involve dedicated trips using only TCC's trained art handlers and secure vehicles. (Details about TCC's climate-controlled, air-ride, GPS monitored trucks and their vetted drivers are also in my letter, **Exhibit 1**.)

7. Once in the TCC facility, all items will be treated by TCC's expert staff. Seven full-time conservators (listed in **Exhibit 1**) will lead the treatment efforts for the Gallery's damaged artworks. In our specialized laboratories, our experienced and knowledgeable staff² allow us to execute treatments with a wide variety of complexity—from salvaging an extremely damaged piece to cleaning and securing an artwork that has not been damaged but only appears to be so.

8. Because of the size of our facility, the breadth of services, and the number of dedicated staff, we believe that we are uniquely qualified to provide the services needed to address the condition issues presented by the damaged artworks. We are not aware of any conservation providers in the New York Metropolitan Area that have the space and resources to efficiently and effectively treat the more than 200 works that

² Our conservators are also members of The American Institute for Conservation, the leading professional organization, which has promulgated a Code of Ethics and Guidelines for Practice, which can be found here:

<https://www.culturalheritage.org/about-conservation/code-of-ethics>
<https://www.culturalheritage.org/about-conservation/code-of-ethics>.

were damaged at the Gallery.

9. TCC can add additional value because our conservators have previously treated artworks created by at least fifteen (15) of the artists whose works are among the damaged artworks we will be treating. Many of those projects were for institutions and galleries, and included a large number of artworks by Larry Rivers, Lester Johnson, and Marcel Duchamp. As a result, TCC has a strong familiarity with the techniques and materials used by the artists, and understands the nuances involved successfully treating their artworks.

Dated: 2024-May-20

A handwritten signature in black ink, appearing to read 'H. Becker', followed by a long horizontal flourish.

Heather Becker
Chief Executive Officer
The Conservation Center